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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,571	01/29/2004	Suryanarayana Murthy Gorty	ID839/80237	6197

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EXAMINER
HU, JINSONG

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 08/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.
10/767,571</td><td>Applicant(s)
GORTY ET AL.</td></tr>
<tr><td>Examiner
Jinsong Hu</td><td>Art Unit
2154</td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 June 2006*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-9,12-16,18-30,32 and 33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 4-9, 12-16, 18-30 and 32-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1,4-9,12-16,18-30,32 and 33 are presented for examination. Claims 2-3,

10-11, 17 and 31 have been canceled. Claims 1, 7, 15, 25 and 29 have been amended.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1,4-9,12-16,18-30,32 and 33 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Horsetmann et al. (US 6,779,022) in view of Cerwin (US

2002/0188497).

4.   As per claims 15 and 24, Horstmann teaches the invention as claimed including

a method of polling electronic mailboxes comprising the step of polling an electronic

mailbox to retrieve unique identifiers (UID's) of electronic messages [col. 3, lines 23-26;

col. 4, lines 36- 46; col. 6, lines 36-45]; issuing a START command for obtaining the

total number of the electronic message on a mail server [col. 6, lines 24-31]; and

retrieving only those UID's that are newer than the UID's from a previous polling to

determine that new messages are available [col. 6, lines 37-45; col. 7, lines 1-9 & 15-28].

5.   Horsetmann does not specifically teach the step of comparing the message number with a threshold before starting to retrieve the messages. However, Cerwin on the other hand teaches the step of comparing the message number with a threshold before starting to poll messages [par. 63]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include comparing threshold step in Horsetmann's system to avoid mailbox overflow occurring before the periodically polling step being performed.

6.   As per claim 16, Horstmann teaches the step of issuing a unique identifier listing (UIDL) command [col. 3, lines 22-38; col. 6, lines 24-31].

7.   As per claim 18, Horstmann teaches the step of polling further comprises the step of retrieving the UID of the most recent message received on a mail server [col. 6, lines 24-31; col. 7, lines 14-28].

8.   As per claim 19, Horstmann teaches the step of checking if the retrieved UID of the most recent message is contained within a database of UID's obtained from previous polls as indicative that no new messages have been received [col. 6, lines 24-31; col. 7, lines 14-28].

9.   As per claim 20, Horstmann teaches the step of storing within a database [230,

Fig. 2] a record of the UID's [523, Fig. 5; col. 6, lines 39-41; col. 7, lines 1-9].

10.   As per claim 21, Horstmann teaches the step of storing the UID for a plurality of

source electronic mailboxes [230, Fig. 2; col. 6, lines 39-41; col. 7, lines 1-14].

11.   As per claim 22, Horstmann teaches the step of shortening a polling interval of

an electronic mailbox when there is recent activity within an electronic mailbox to

provide electronic mail to a user in near real-time fashion [col. 6, lines 24-31].

12.   As per claim 23, Horstmann teaches the step of retrieving a message only when

the UID is determined to be newer than the UID's from a previous polling [col. 6, lines

37-45].

13.   As per claim 1, Horstmann teaches the invention as claimed including a

communications system comprising:

        a polling agent [152, Fig. 1] for polling an electronic mailbox [col. 3, lines 23-26]

to retrieve unique identifiers (UID's) of electronic messages [col. 4, lines 36- 46; col. 6,

lines 36-45]; and

        a database [230, Fig. 2; col. 6, lines 39-41] for storing the UID's resulting from the

polling [col. 6, lines 37-41], the polling agent is operative for issuing a single command

for obtaining the total number of electronic messages, issuing a START command for

obtaining the total number of the electronic message on a mail server [col. 6, lines 24-31], the polling agent polls the electronic mailbox and retrieving only those UID's that are newer than the UID's from a previous polling to determine that new messages are available [col. 6, lines 37-45; col. 7, lines 1-9 & 15-28].

Horsetmann does not specifically teach the step of comparing the message number with a threshold before starting to retrieve the messages. However, Cerwin on the other hand teaches the step of comparing the message number with a threshold before starting to poll messages [par. 63]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include comparing threshold step in Horsetmann's system to avoid mailbox overflow occurring before the periodically polling step being performed.

14.   As per claim 4, Horstmann teaches the polling agent is operative for retrieving a web page that contains a list of most recent messages retrieved within the electronic mailbox [col. 6, lines 36-51; col. 7, lines 1-9].

15.   As per claim 5, Horstmann teaches the polling agent is operative for shortening a polling interval of an electronic mailbox when there is activity within an electronic mailbox to provide electronic mail to a user in near real-time [col. 6, lines 24-31].

16.   As per claim 6, Horstmann teaches the polling agent is operative for issuing a

command for a unique identifier listing (UIDL) to determine the UID's of messages on a

mail server [col. 6, lines 24-31].

17.   As per claim 7, Horstmann teaches the invention as claimed including

communication system comprising:

        a wireless communication device [140, Fig. 1] having a mail user agent [205, Fig.

2];

        mobile office platform operative with the mail user agent for accessing one or

more electronic mailboxes [col. 3, lines 22-38] of the mail user agent using a plurality

protocol specific connectors [col. 3, lines 39-45], said mobile office platform including

polling agent [152, Fig. 1] for polling an electronic mailbox of the mail user agent

to retrieve unique identifiers (UID's) of electronic messages [col. 4, lines 36- 46; col. 6,

lines 36-45] and a database [230, Fig. 2; col. 6, lines 39-41] for storing the UID's

resulting from the polling [col. 6, lines 37-41], wherein the polling agent is operative for

issuing a single command for obtaining the total number of electronic messages, issuing

a START command for obtaining the total number of the electronic message on a mail

server [col. 6, lines 24-31], the polling agent is polls the electronic mailbox and retrieving

only those UID's that are newer than the UID's from previous polling to determine that

new messages are available [col. 6, lines 37-45; col. 7, lines 1-9 & 15-28].

Horsetmann does not specifically teach the step of comparing the message

number with a threshold before starting to retrieve the messages. However, Cerwin on

the other hand teaches the step of comparing the message number with a threshold

before starting to poll messages [par. 63]. It would have been obvious to a person of

ordinary skill in the art at the time the invention was made to include comparing

threshold step in Horsetmann's system to avoid mailbox overflow occurring before the

periodically polling step being performed.

18.   As per claim 8, Horstmann teaches the mail user agent is operative for accessing

the mobile office platform using a POP, IMAP or webmail protocol [col. 3, lines 39-45].

19.   AS per claim 9, Horstmann teaches the plurality of protocol specific connectors

comprises a POP connector for accessing POP mailboxes, an IMAP connector for

accessing IMAP mailboxes, or a connector for accessing mail from Exchange server

[col. 3, lines 39-45].

20.   As per claim 12, Horstmann teaches the polling agent is operative for retrieving a

webpage that contains a list of most recent messages retrieved within the electronic

mailbox [col. 6, lines 36-51; col. 7, lines 1-9].

21.   As per claim 13, Horstmann teaches the polling agent is operative for shortening

a polling interval of an electronic mailbox when there is recent activity within an

electronic mailbox to provide electronic mail to a user in near real-time [col. 6, lines 36-51; col. 7, lines 1-9].

22.   As per claim 14, Horstmann teaches the polling agent is operative for issuing a command for a unique identifies- listing (UIDL) to determine the UID's of messages on a mail server [col. 6, lines 24-31].

23.   As per claim 25, Horstmann teaches the invention as claimed including a method of polling electronic mailboxes comprising the steps of issuing a START command for obtaining the total number of the electronic message on a mail server [col. 6, lines 24-31], retrieving a webpage that contains a list of most recent messages received within an electronic mailbox [col. 4, lines 36-46]; storing the unique identifiers (UID's) starting with the most recent messages stored within the list [col. 6, lines 36-45]; and storing the UID's until a UID is seen that was retrieved within a previous poll indicative that all UID's stored in a current poll are from new messages [col. 6, lines 36-45; col. 7, lines 1-28].

24.   Horsetmann does not specifically teach the step of comparing the message number with a threshold before starting to retrieve the messages. However, Cerwin on the other hand teaches the step of comparing the message number with a threshold before starting to poll messages [par. 63]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include comparing threshold step in Horsetmann's system to avoid mailbox overflow occurring before the

periodically polling step being performed.

25.   As per claim 26, Horstmann teaches the step of requesting a new webpage if the previously stored UID is not present in the first webpage [col. 7, lines 15-39, i.e., keep retrieving UID until all of unread message have been processed and stop retrieving if the old UID shown up on the list].

26.   As per claim 27, Horstmann teaches the step of ceasing to obtain a new webpage when a UID is seen that was stored from a previous poll [col. 6, lines 36-45].

27.   As per claim 28, Horstmann teaches the step of shortening a polling interval of an electronic mailbox when there is recent activity within an electronic mailbox to provide electronic mail to a user in near real-time fashion [col. 6, lines 24-31].

28.   As per claim 29, Horstmann teaches the invention as claimed including a method of polling electronic mailboxes comprising the steps of polling an electronic mailbox by issuing a command to retrieve the current number of messages located on a mail server [i.e., read the messages] and retrieving the unique identifier (UID) of the most recent message [col. 4, lines 36-46; col. 6, lines 24-31]; and checking if the UID of the most recent message is in a list of stored UID's obtained from previous polls [col. 6, lines 36-45; col. 7, lines 1-28].

29.   Horsetmann does not specifically teach the step of comparing the message number with a threshold before starting to retrieve the messages. However, Cerwin on the other hand teaches the step of comparing the message number with a threshold before starting to poll messages [par. 63]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include comparing threshold step in Horsetmann's system to avoid mailbox overflow occurring before the periodically polling step being performed.

30.   As per claim 30, Horstmann teaches the step of determining that new messages have occurred if the UID is stored from a previous poll [col. 6, lines 36-45].

31.   As per claim 32, Horstmann teaches the step of issuing a command for a unique identifier listing (UIDL) to determine the UID's of messages on a mail server [col. 6, lines 36-45; col. 7, lines 1-28].

32.   As per claim 33, Horstmann teaches step of shortening a polling interval of an electronic mailbox when there is recent activity within an electronic mailbox to provide electronic mail to a user in near real-time fashion [col. 6, lines 24-31].

Conclusion

33.   Applicant's arguments with respect to claim 1-33 have been considered but are moot in view of the new ground(s) of rejection.

34.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

35.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

36.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965.

The examiner can normally be reached on 8:00 AM - 5:30 PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone

number for the organization where this application or proceeding is assigned is (571)

273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

August 25, 2006

VIET D. VU
PRIMARY EXAMINER